

STEP 2: WILL THE ACTIVITY INVOLVE THE DISCHARGE OF DREDGED OR FILL MATERIAL INTO WATERS OF THE US?

The second step is to determine whether the activity will involve the discharge of dredged or fill material into waters of the US, as addressed in 33 CFR 323—Permits for Discharges of Dredged or Fill Materials into Waters of the US (Corps 2000; Attachment 3).

A. Definitions and Examples

As defined in 33 CFR 323, within the context of Section 404:

- § **dredged material** is defined as "...material that is excavated or dredged from waters of the United States" (Corps 2000)
- § **discharge of dredged material** is defined as "...any addition of dredged material into the waters of the United States" (Corps 2000)
- § **fill material** is defined as "...any material used for the primary purpose of replacing an aquatic area with dry land or of changing the bottom elevation of... [a] **waterbody**" (Corps 2000)
- § **discharge of fill material** is defined as "...the addition of fill material into waters of the United States" (Corps 2000)

The most common dredged (excavated) materials resulting from ADOT activities are:

- § sand
- § soil
- § gravel

Fill materials commonly discharged to waters of the US during ADOT activities include but are not limited to:

- § soil
- § concrete and pavement
- § riprap
- § steel



B. Regulated ADOT Activities

ADOT activities that commonly result in the discharge of dredged and/or fill material into waters of the US include but are not limited to:

- § culvert extensions and installations
- § bridge scour countermeasures
- § **channel bank** protection

- § wash realignment and **channelization**
- § roadway and utility crossings
- § geotechnical borings
- § the removal of sediment buildup from culverts

Attachment 3 provides additional description of specific activities regulated under Section 404, as well as activities that are exempt from regulation.

